

**IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF INDIANA  
FORT WAYNE DIVISION**

|                                |   |                                    |
|--------------------------------|---|------------------------------------|
| HEATHER DAVIS,                 | ) |                                    |
|                                | ) |                                    |
| Plaintiff,                     | ) |                                    |
|                                | ) |                                    |
| v.                             | ) | Case No. 1:17-cv-00077-WCL-SLC     |
|                                | ) |                                    |
| MIDWEST EYE CONSULTANTS, P.C., | ) | Removal from Allen County Superior |
| d/b/a CATARACT AND LASER       | ) | Court No. 3 – Fort Wayne, Indiana  |
| INSTITUTE,                     | ) | Cause No. 02D03-1701-CT-000041     |
|                                | ) |                                    |
| Defendant.                     | ) |                                    |

**JOINT STIPULATION OF DISMISSAL WITH PREJUDICE**

Plaintiff and Defendant, pursuant to Rule 41(a)(1)(A) of the Federal Rules of Civil Procedure, hereby stipulate to the dismissal of all counts and claims (pending or otherwise) against Defendant, with prejudice. Each party shall bear its/her own costs and attorneys' fees.

Respectfully submitted,

s/ Nicholas S. Johnston  
Dana E. Stutzman  
Nicholas S. Johnston  
HALL, RENDER, KILLIAN, HEATH &  
LYMAN, PC  
500 N. Meridian Street, Ste. 400  
Indianapolis, IN 46204-1293  
Telephone: 317.633.4884  
Facsimile: 317.633.4878

Respectfully submitted,

s/ Christopher C. Myers (with consent)  
Christopher C. Myers  
Lori W. Jansen  
Skyler Spurling-Newsom  
CHRISTOPHER C. MYERS & ASSOCIATES  
809 South Calhoun Street, Suite 400  
Fort Wayne, IN 46802

**CERTIFICATE OF SERVICE**

I hereby certify that on September 8, 2017, a copy of the foregoing *Joint Stipulation of Dismissal With Prejudice* was filed electronically. Notice of this filing will be sent to the following party(ies) by operation of the Court's electronic filing system. The party(ies) may access this filing through the Court's system:

Christopher C. Myers  
Lori W. Jansen  
Skyler Spurling-Newsom  
CHRISTOPHER C. MYERS & ASSOCIATES  
809 South Calhoun Street, Suite 400  
Fort Wayne, IN 46802

s/ Nicholas S. Johnston  
Nicholas S. Johnston

HALL, RENDER, KILLIAN, HEATH & LYMAN, P.C.  
500 N. Meridian Street  
Suite 400  
Indianapolis, Indiana 46204  
(317) 633-4884  
(317) 633-4878 (FAX)